

INTERNATIONAL SALES LAW

A Global Challenge

Edited by

Larry A. DiMatteo

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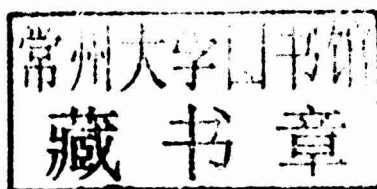
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Warrington College of Business Administration,
University of Florida



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32 Avenue of the Americas, New York, NY 10013-2473, USA

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781107020382

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First published 2014

Printed in the United States of America

A catalog record for this publication is available from the British Library.

Library of Congress Cataloging in Publication Data

International sales law : a global challenge / Larry A. DiMatteo, Warrington College of Business Administration, University of Florida.

pages cm

Includes bibliographical references and index.

ISBN 978-1-107-02038-2 (hardback)

1. Export sales contracts. 2. United Nations Convention on Contracts for the International Sale of Goods (1980) I. DiMatteo, Larry A., editor of compilation.

K1030.I585 2014

343.08'7-dc23 2013030074

ISBN 978-1-107-02038-2 Hardback

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INTERNATIONAL SALES LAW

A Global Challenge

This book brings together the top international sales law scholars from twenty-three countries to review the Convention on Contracts for International Sale of Goods (CISG) and its role in the unification of global sales law at present and into the future. The book covers three general research methodologies: (1) doctrinal or descriptive, (2) theoretical, and (3) practical. In the area of doctrinal–descriptive analysis, the substance of CISG rules is reviewed and alternative interpretations of those rules are analyzed. A comparative analysis is given of how numerous countries have accepted, interpreted, and applied the CISG. Theoretical insights are offered into the problems of uniform laws, the CISG's role in bridging the gap between the common and civil legal traditions, and the debate over the proper role of good faith in CISG jurisprudence. The practitioner perspective argues that the CISG should be viewed as a tool for furthering the interests of business clients.

The book includes a review of the case law relating to the interpretation and application of the provisions of the CISG; analyzes how the CISG has been recognized and implemented by national courts, as well as arbitral tribunals; offers insights into the problems of uniformity of application of an international sales convention; compares the CISG with the English Sale of Goods Act and places the CISG in the context of other texts of UNCITRAL; and analyzes the CISG from the practitioner's perspective, including how to use the CISG proactively.

Larry A. DiMatteo is the Huber Hurst Professor of Contract Law and Legal Studies at the Warrington College of Business Administration and Affiliate Professor at the Levin College of Law at the University of Florida. He is the author or editor of more than seventy scholarly publications including *International Sales Law: A Critical Analysis of the CISG* (2005) and *Commercial Contract Law: Transatlantic Perspectives* (2013). Professor DiMatteo obtained his J.D. from Cornell Law School, LL.M. from Harvard Law School, and Ph.D. in Business and Commercial Law from Monash University.

“Founding Father”

John Honnold

(1916–2011)

“The only way to create a genuine and effective international legal system is to explore and appreciate the world’s diverse views on challenging topics.”

Harry Flechtner

“The Great Scholar”

Peter Schlechtriem

(1933–2007)

“Nonetheless, you had the firm impression that he had rather preferred to sit in his office and write one of his books or articles.”

Ulrich Magnus

“The Great Disseminator”

Al Kritzer

(1928–2010)

“Al poured his heart and his soul, and his money, into building systems and networks which enabled us to share knowledge and insight. Now, with Al gone, it is up to us to ensure that we all continue to share.”

Camilla Andersen

“Society” of Scholars

In referencing Honnold, Schlechtriem, and Kritzer, Harry Flechtner notes that “I have often thought that the spirit and personalities of these wonderful people formed a distinctive culture around the CISG that partook of their character. I have often noticed what a remarkable group of scholars that have been attracted to the Convention as a major focus of their careers – thinkers who are not just bright and energetic, but truly friendly and other-centered.”

List of Contributors

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of the CISG,” in *An International Approach to the Interpretation of the United Nations Convention on Contracts for the International Sale of Goods* (1980) as *Uniform Sales Law*, (Felemegas, ed., Cambridge University Press, 2006) and “The Interpretation of the CISG in the Arab World,” in *CISG Methodology* (Janssen and Meyer, eds., Sellier, 2009), as well as “Intellectual Property” in the *International Encyclopedia of Laws* series (Kluwer Law International, 2009). He practices law before the Court of Cassation, the Higher Administrative Court, and the Constitutional Court, and he was a Presidential appointment to the Board of Directors of the National Authority for Quality Assurance and Accreditation in Education.

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